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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/315,822	05/21/1999	SCOTT N. CHRISTENSEN	031792-0311520	6988
909	7590	10/16/2008	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			JANVIER, JEAN D	
P.O. BOX 10500			ART UNIT	PAPER NUMBER
MCLEAN, VA 22102			3688	
MAIL DATE		DELIVERY MODE		
10/16/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* CHRISTOF KRAUTSCHIK, MACIEK ORCZYK  
AND JOHN URATA

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Application No. 09/315,822  
Technology Center 3600

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Mailed: October 16, 2008

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 24, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the

application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on January 29, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

**CONCLUSION**

Accordingly, it is  
ORDERED that the application is returned to the Examiner to:  
1) consider the Reply Brief filed January 29, 2008 as indicated above;  
and  
2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/tsj

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